

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**FOOD NOT BOMBS HOUSTON,
BRANDON WALSH**

Plaintiffs

v.

THE CITY OF HOUSTON, TEXAS,

Defendant

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C.A. No. 4:24-CV-00338

Consolidated with

PHILLIP PICONE,

Plaintiff

v.

**OFFICER A. ANCIRA, *in his*
Individual capacity, and THE CITY OF
HOUSTON, TEXAS,**

Defendants

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C.A. NO. 4:23-CV-1206

Judge Andrew Hanen

AFFIDAVIT OF RENEE BECKHAM

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Renee Beckham, a Chief Sanitarian for the City of Houston, who, being first duly sworn, upon her oath, deposed and said:

“My name is Renee Beckham. I am employed as a Chief Sanitarian for the City of Houston in the consumer health division. I am over the age of eighteen (18) years, of sound mind and capable of making this affidavit. I have never been convicted of a felony or a crime involving moral turpitude. I have personal knowledge of the facts stated herein, and I am fully qualified to make this affidavit.

In my role as Chief Sanitarian for the consumer health division of the Houston Health Department, I manage the plan review program, the mobile food unit program, and the food manager’s program. Since July 1, 2012, Houston has implemented and followed its Charitable Feeding Ordinance that establishes a voluntary program to coordinate outdoor food service operations for those in need, including persons experiencing food insecurity and homelessness. The intent of the ordinance has always been three pronged: (1) to improve the quality, quantity, and distribution of food provided outdoors; (2) to expand the opportunities for the homeless to connect with service providers; and (3) to reduce the disproportionate environmental impact of food service operations on public and private property.

Food poisoning can cause illness or even death. Houston provides food handling training free of charge to charitable food service organizations. Houston’s optional, free food safety course for charitable food organizations is the same training Houston provides to restaurants and food trucks.

I have personally trained numerous food service organizations in proper food handling rules, guidelines and techniques. As of October 30, 2019, 199 Charitable Food Services Groups have become registered through the charitable food service provider program. Classes are conducted on the third Saturday of each month through virtual training from 12-2 p.m., beginning August 2020. Registration instruction and information are listed on the HHD website. Participation in the charitable food service program is voluntary. The only mandatory step is the requirement to obtain owner

consent before using either public or private property for food service of more than five people.

Adequate trash containment to contain all trash, refuse, and litter on the site of the food service event has been a hallmark of the charitable food service program from its inception. Under the current regulations of the Houston Health Department, any charitable food service providers seeking to provide food on City property must have adequate trash receptacles, trash containment and removal measures to contain all trash, refuse, and litter on the site of the food service event and to properly dispose of all trash, refuse, litter and remove unused foods from the site at the conclusion of the food service event.

No representative of the organization Food Not Bombs Houston has ever taken a food handling training class with me. Food Not Bombs Houston has never applied for participation or certification in Houston's recognized charitable food service provider program. Brandon Walsh has never applied for participation or certification in Houston's recognized charitable food service provider program. Brandon Walsh has never taken a food handling training class with me. Phillip Picone has never applied for participation or certification in Houston's recognized charitable food service provider program. Phillip Picone has never taken a food handling training class with me.

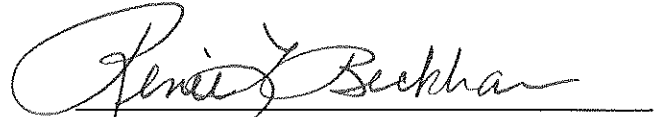
The following documents are incorporated herein by reference:

- Exhibit D(1)** Article V. Charitable Food Services Ordinance [COH 000009-11] (Exhibit 5);
- Exhibit D(2)** Charitable Feeding Regulations [COH 000012-16] (Exhibit 31);
- Exhibit D(3)** Houston Health Department City of Houston Charitable Food Services Guidelines [COH 008219-20] (Exhibit 41);
- Exhibit D(4)** Registered Charitable Food Service Groups list as of October 30, 2019;
- Exhibit D(5)** Email from Christopher Sparks to David Opheim dated February 9, 2023 re: updates to HHD website [COH 110287-92] (Exhibit 42);
- Exhibit D(6)** Email from Patrick Key to Graciana Garces dated January 2, 2013 re: update on first 6 months of ordinance [COH 001579-81];

- Exhibit D(7)** Email from Patrick Key to James Koski dated January 23, 2015 re: Charitable Feeding discussion points [COH 002138-40];
- Exhibit D(8)** Email dated January 22, 2015 re: measurable reduction in trash after passage of ordinance in 2012 [COH 002125-26];
- Exhibit D(9)** Email dated February 11, 2015 from Joe Turner re: Harris County formally denied any further feeding at James Bute Park [COH 002198];
- Exhibit D(10)** Email dated November 16, 2015 re: removal of addresses no longer approved for feeding from HHD website [COH 003065];
- Exhibit D(11)** Email dated March 25, 2016 from Carolyn Gray to citizen re trash complaints at Peggy's Point Plaza Park [COH 003959-60];
- Exhibit D(12)** Email dated March 31, 2016 from Rubi Longoria to citizen re Peggy's Point Plaza Park [COH 003979-81];
- Exhibit D(13)** Email dated September 13, 2016 from David McCoy re: drug use, Purple Kush [COH 025692-93] (Exhibit 34);
- Exhibit D(14)** Email dated July 8, 2016 from Joe Turner to Rubi Longoria re drug use, Purple Kush and homeless initiatives re how best to provide services to those in need, not just feedings [COH 048066-67] (Exhibit 22)
- Exhibit D(15)** HHD complaint about conditions outside Downtown Central Library, urine and feces as of April 3, 2020 [FNB010387-89]
- Exhibit D(16)** Memo from Dr. Rhea B. Lawson to Walter Hambrick, Mayor's Office dated August 10, 2022 re: feedings and the problems they cause continue unabated [COH 084996-97]
- Exhibit D(17)** Email from Saima Kadir to Dr. Lawson dated January 9, 2023 re: trash, rocks, and food waste outside Downtown Central Library [COH 091789-92] (Exhibit 8); and
- Exhibit D(18)** Photos of trash and bricks to hold place in line (Exhibit 9).

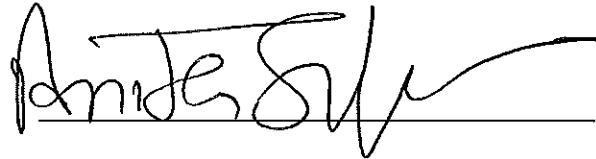
The attached documents are true and correct copies of documents kept in the regular course of municipal activities for the City of Houston, and it was in the regular course of municipal activities of the City for an employee or representative of the City with knowledge of the act, event, condition, or opinion recorded, to make the record or to transmit information thereof to be included in such record, and the record was made at or near the time or reasonably soon thereafter.

Further affiant sayeth not.”



Renee Beckham,
Chief Sanitarian
City of Houston

SUBSCRIBED AND SWORN TO BEFORE ME, by the said Renee Beckham,
on April th17, 2025.



Notary Public in and for
the State of T E X A S

My commission expires:

